

**U.S. Department of the Interior
Bureau of Land Management
Uncompahgre Field Office
2465 South Townsend Avenue
Montrose, CO**

DECISION RECORD

**DOI-BLM-CO-S050-2008-0064
Environmental Assessment**

Project Name: Resource Management Plan Amendment/Environmental Assessment for the Uncompahgre Field Office (UFO) Travel Management Plan

INTRODUCTION: The Uncompahgre Field Office Travel Management Planning Area (planning area) is located within the UFO administrative boundary. The planning area surrounds the towns of Montrose, Olathe, Delta, Nucla, Naturita, Norwood, Cedaredge, Ridgway, Ouray, Crawford, and Hotchkiss, Colorado, and contains approximately 460,567 acres of BLM public lands. The decision will be for public lands only and will not apply to private lands without easements.

The critical need to balance increasing access and use demands with management and sustainability of the public lands within the planning area, has made it essential to amend the two Resource Management Plans (RMP) prior to the upcoming UFO Land Use Plan Revision and Dominguez-Escalante National Conservation Area (DENCA) RMP. The DENCA legislation requires BLM to manage the area in a manner that conserves, protects and enhances the resources and values of the NCA. Addressing travel management with the NCA will help achieve this mandate until an RMP can be completed for the area. Route by route travel management planning for the DENCA will be completed in conjunction with the RMP process. As for the rest of the planning area, the UFO will delineate Travel Management Areas for the “limited” designated areas throughout the planning area and to the extent possible produce a schedule to complete the route by route travel management planning. As per BLM’s planning handbook guidance this should not exceed 5 years after the RMP revision has been completed.

This Decision regarding Off-Highway Vehicle Area Designations is subject to a 30-day public protest period and 60-day governor's consistency review. In accordance with BLM policy, decisions pertaining to OHV Area Designations require an amendment to Resource Management Plans, and are subject to the protest procedures outlined below.

The Uncompahgre Field Office Travel Management Plan/Environmental Assessment (CO-150-2008-64 EA) is available for review at the following web address:
<http://www.blm.gov/co/st/en/fo/ufo.html>

Please direct questions and comments about this Decision Record, CO-150-2008-64 EA, or the Finding of no Significant Impact to Julie Jackson, Recreation Planner, or Bruce Krickbaum, Environmental Coordinator, at (970)240-5300, or by submitting your questions via email to Julie_Jackson@blm.gov or Bruce_Krickbaum@blm.gov.

DECISION: It is my Decision to

(1) Change the Off-Highway Vehicle (OHV) Area Designations on public lands within the Uncompahgre Field Office Travel Management Planning Area (planning area) through amendments to the 1989 Uncompahgre Basin and 1985 San Juan/San Miguel Resource Management Plans.

OHV Area Designation Changes

OHV areas in the planning area designated as *Open* or *Limited* will be changed to *Limited to existing routes yearlong or with seasonal restrictions*. Routes within areas with seasonal restrictions are closed to all motorized and mechanized travel from December 1 to April 30 or May 1 to June 15 annually in order to prevent disturbance to wintering big game or calving elk. These routes are available for motorized and mechanized travel the remainder of the year. Any exceptions to the listed dates are made by the authorizing officer and are implemented according to appropriate notification and posting, and/or according to other appropriate regulations.

No new routes are permitted to be constructed or established unless reviewed, analyzed and authorized by the BLM. See CO-150-2008-64 EA for maps identifying routes and restrictions.

Following are the acreages within each designation:

- 0 acres Open
- 410,351 acres Limited to Existing Routes Yearlong
- 46,842 acres Limited to Existing Routes 5/1 to 11/30; Closed 12/1 to 4/30
- 3,374 acres Limited to Existing Routes 6/16 to 4/30; Closed 5/1 to 6/15

(2) Approve the following management actions described in CO-150-2008-64 EA.

Travel Use Conditions

The following describe travel use conditions allowed, restricted or limited on routes designated for use by motorized and mechanized modes of travel:

Motorized and mechanized travel off of existing routes is not authorized or permitted, except as noted in the description of the Proposed Action.

Travel on horse or by foot would be permitted yearlong on existing routes and cross-country on public lands throughout the planning area where available for public use.

Use of motorized or mechanized modes of travel on existing routes would not be permitted if the result would:

- Convert or upgrade a single-track route (maximum of 36 inches in width) to a two-track route, i.e. driving an all-terrain vehicle (ATV) or a full-size passenger vehicle on a route consisting of a single track used by hikers, horseback riders, motorcycles, mountain bikes, game or livestock
- Convert or upgrade a route (with a maximum width of 50 inches) used by and established for use by an ATV to a wider two-track route, such as would occur

if a full-size passenger vehicle were used to travel along a route narrower than its wheel base.

Implementation & Monitoring

An official agency map showing valid existing routes would be made available to the public and used to determine if motorized and mechanized travel is permitted on a particular route during any part of the year.

Informational/directional signs, as well as kiosks where appropriate, would be installed in sensitive areas and other locations where needed throughout the planning area. Not all routes may be signed or identified, as signing for routes would be implemented by the BLM over time and as funding allows. The BLM would work cooperatively with other agencies, organizations, clubs and individuals to determine appropriate sign locations.

Implementation of the approved RMP amendment would include a strategy of educating users and enforcing regulations, including the development of easily understandable maps and other tools for effectively communicating that it is not permissible for operators of motorized or mechanized modes of travel to drive off of existing routes within the planning area.

The UFO would prepare and implement a public education program in a variety of formats to promote responsible use of public land. This would include educational information on noxious weeds and best management practices, information regarding controlling noise levels while recreating on public lands, as well as Colorado noise level standards pertaining to the operation of motor vehicles, including provisions in Colorado Senate Bill 08-063, and any pertinent regulations that would be promulgated.

Emergency and Administrative Use

Any emergency or administrative motorized vehicle or equipment use off of existing routes on BLM-managed lands would require prior notification and approval. Should prior notification not be possible, contact with an authorized BLM official would have to be made within 72 hours following emergency entry.

BLM administrative functions related to resource management objectives (e.g., wildlife habitat and species monitoring and management, noxious weed eradication, resource enhancement and restoration, and fence repair) requiring cross-country travel using motorized vehicles or equipment, would be addressed at the project level on a case-by-case basis, and additional environmental documentation and analysis could be required for certain administrative functions.

Adaptive Management

The BLM would reserve the option to further restrict travel and use, by vehicle type or season, on any route in order to protect (natural or other) resources or infrastructure from being impacted by vehicle use in the event of extreme winters, wet conditions, to reduce safety hazards, or any other unforeseeable situations, or to better manage or protect other values, such as big game or nesting raptors. These actions could include permanent or seasonal route closures or relocations. These actions would be taken following appropriate emergency closure or other procedures, and/or after appropriate site-specific NEPA analysis.

Over time, changes to the route network may be necessary, including adding, designating, relocating, closing, maintaining, and/or changing seasonal or other use restrictions on routes, as well as adding necessary travel management support facilities. Such changes would be documented using appropriate BLM Land Use Planning regulations and NEPA procedures. Individuals and organizations can request that the BLM make route status changes based on a variety of criteria, including route condition, maintenance needs, resource conditions, existing uses, historical information, changing needs, cultural information, economic information, ecological issues, road density, duplicative uses/displacement, fish and wildlife, and use types and levels.

Enforcement

Users and motorists would be responsible for understanding and following area and route restrictions on official agency maps. The BLM would assign personnel, including law enforcement, recreation and other resource staff and volunteers to actively patrol existing routes. Actual enforcement would be conducted by BLM law enforcement personnel in accordance with 43 CFR 9268.0-3 and other applicable regulations.

Design Features

The following design features will be implemented and include mitigation measures intended to reduce or eliminate impacts to certain resources.

- Maintenance of routes will be performed according to BLM annual work plans and as funding permits.
- Impacts from travel on existing routes are expected to be greatest for the Colorado hookless cactus and clay-loving wild buckwheat. Therefore, to mitigate impacts on these species, the BLM UFO will systematically install roadside signs to indicate especially sensitive areas, where travel-related impacts on these species are potentially substantial. Signs will be installed no later than one year from the signing of the FONSI for the Environmental Assessment (EA). Sensitive areas that will be signed include all travel routes within 25 meters of known populations (based on the Biological Assessment's habitat models and maps), and other potential conflict areas as determined necessary. Signs shall notify the public and other users that, to protect sensitive resources, motorized and mechanized travel in these areas is restricted to existing routes and that off-route travel is strictly prohibited. This regulation will be enforceable by law officers, and compliance will be monitored by the BLM.
- If impacts to listed species that were not analyzed in this consultation are expected to occur due to future geographic area travel management planning, further consultation will occur at that time.
- In accordance with information in the Biological Opinion (U.S. Fish and Wildlife Service, August 11, 2009), re-initiation of formal consultation with the Wildlife Service will occur if:
 1. New information reveals effects of the agency action that may adversely affect listed species or critical habitat in a manner or to an extent not considered in the BO;

2. The agency action is subsequently modified in a manner that causes an effect to a listed species or critical habitat that was not considered in the BO; and/ or
3. A new species is listed or any new critical habitat is proposed or designated that may be affected by this action.

RATIONALE: The changes to existing OHV Area Designations and the additional management actions are intended to balance recreational demands with resource needs, RMP goals, and compliance with Public Land Health Standards. My decision is based on the findings and analysis in CO-150-2008-64 EA, including supporting documentation and reports, and public participation and involvement in this project.

Implementation of the Proposed Action will not result in any undue or unnecessary environmental degradation, and does not constitute a major federal action having significant effect on the human environment; this has been documented in a Finding of No Significant Impact. Best available data was used in the preparation of the EA. An Environmental Impact Statement for this project would not, in all likelihood, provide any significant new information.

COMPLIANCE: This decision amends both the 1989 Uncompahgre Basin and 1985 San Juan/San Miguel Resource Management Plans.

This decision is in compliance with other major laws to minimize environmental impacts to public lands, including: Endangered Species Act of 1973 (P.L. 94-325); Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703-712); Federal Water Pollution Control Act of 1948 (Clean Water Act), as amended (33 U.S.C. Chap. 26); Clean Air Act of 1963, as amended (P.L. 88-206); Federal Noxious Weed Act of 1974, as amended (P.L. 93-629, 7 U.S.C. 2801 *et seq*); National Historic Preservation Act of 1966, as amended (P.L. 89-665); Archaeological and Historic Preservation Act of 1974 (P.L. 93-253); Archaeological Resources Protection Act of 1979, as amended (P.L. 96-95); and Native American Graves Protection and Repatriation Act of 1990 (P.L. 101-601).

PROTEST OPPORTUNITIES: Pursuant to BLM planning regulations at 43 CFR 1610.5-2, any person who participated in the planning process for CO-150-2008-64 EA, and has an interest that is or may be adversely affected by the proposed amendments to the RMPs may protest such amendments. A protest may raise only those issues that were submitted for the record during the planning process. New issues may not be brought into the record at the protest stage. These issues may have been raised by the protesting party or others. For consideration, the protest must be filed within 30 days of the published notice of this Decision Record's effective date. Please see the accompanying protest regulations on the pages that follow.

E-mailed and faxed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, the BLM will consider the e-mailed or faxed protest as an advance copy and will afford it full consideration. If you wish to provide the BLM with such advance notification, please direct faxed protests to the attention of Brenda Hudgens-Williams, BLM protest coordinator at 202-452-5112, and **E-mail protests to:** Brenda_Hudgens-Williams@blm.gov

Please also courtesy copy (cc:) advance notification of protest to Julie Jackson, Recreation Planner (Email: julie_jackson@blm.gov).

If sent by regular mail to:

Director (210)
Attention: Brenda Hudgens-Williams
P.O. Box 66538
Washington, D.C. 20035

Cc:

BLM-Uncompahgre Field Office TMP/EA
Attention: Julie Jackson
Uncompahgre Field Office
2465 South Townsend Avenue
Montrose, CO 81401

For overnight mailing (by Federal Express only) send to:

Director (210)
Attention: Brenda Hudgens-Williams
1620 L Street, N.W. Suite 1075
Washington, D.C. 20036

Regulations comprise critical elements of your protest. Take care to document all relevant facts. As much as possible, reference or cite planning documents or available planning records (e.g. meeting minutes or summaries, correspondence, etc.) To aid in ensuring the completeness of your protest, a protest check list is attached following this letter.

Before including your address, phone number, e-mail address, or other personal identifying information in your protest, be advised that your entire protest – including your personal identifying information – may be made publicly available at any time. While you can ask us in your protest to withhold from public review your personal identifying information, we cannot guarantee that we are able to do so.

The BLM Director will make every attempt to promptly render a decision on each protest. Decisions will be made in writing and sent to the protesting party by certified mail, return receipt requested. The decision of the BLM Director regarding protests shall be the final decision of the Department of the Interior.

Upon completion of the 60-day Governor's consistency review and resolution of any resource management plan protest, the BLM will issue an Approved RMP Amendment. Approvals are withheld on any portion of the Amendment under protest until final action has been completed on such protest. The Approved RMP Amendment will be available to all parties at this website: <http://www.blm.gov/co/st/en/fo/ufo.html>.

SIGNATURE OF RECOMMENDING OFFICIAL:

Barbara Sharrow
Field Manager
Uncompahgre Field Office

Date

DECISION

It is my decision to amend certain Off-Highway Vehicle area designations in the Uncompahgre Basin and San Juan/San Miguel Resource Management Plans as described above.

SIGNATURE OF AUTHORIZED OFFICIAL:

Helen Hankins
State Director

Date